

**TOWN OF DAVIE  
SPECIAL MEETING  
OCTOBER 14, 2006**

The meeting was called to order at 1:30 p.m. and was followed by the Pledge of Allegiance.

Present at the meeting were Mayor Truex and Vice-Mayor Crowley, Councilmembers Paul, Starkey, and Caletka. Also present were Acting Town Administrator Cohen, Town Attorney Kiar, and Acting Assistant Town Administrator Muniz.

**1. Interviews for the Town Administrator's Position**

*Gary Shimun*

Mr. Shimun stated that he had a good background in Public Administration and Urban Planning and felt he was a "good fit for the Town. He indicated that the Town needed to preserve its tradition and to have a responsible, reliable administrative staff that would work with Council to formulate Davie's future.

Vice-Mayor Crowley asked how Mr. Shimun would improve the Finance Department's performance. Mr. Shimun responded that he would set a standard for the production of documents in the format and on the schedule that Council dictated. He commented that the budget timeline should allow sufficient time to plan for each upcoming fiscal year.

Councilmember Starkey remarked on the past few years' high turnover rate and asked how Mr. Shimun would improve employee and community morale. Mr. Shimun responded that he would provide strong leadership to set an example for employees and set the vision for employees and the community. He felt that proper administration from the top down would rebuild the community's trust.

Councilmember Caletka asked how Mr. Shimun would prevent and deal with the situation Davie recently suffered when the Police union returned a vote of no confidence in the Police Chief. Mr. Shimun thought there were underlying issues within the Police Department that had not been properly detected and dealt with by the administrator. He felt an open door policy was needed to foster trust and to allow the administrator to identify such issues before they became a problem.

Councilmember Paul asked how Mr. Shimun would deal with revisions of Town policies and codes. Mr. Shimun answered that he had no problem "stealing" good ideas from Pembroke Pines, which he felt had good policies in place. Regarding accountability, he felt that clear policies must exist that delineated employee's responsibilities and the consequences for not fulfilling those responsibilities.

Mayor Truex asked how Mr. Shimun would address customer service and ensuring good interaction with the public. Mr. Shimun felt employees must understand that they were providing a service to the public. He thought that a follow-up system could be used to make sure problems/complaints were addressed properly. Mr. Shimun described the process used in Pembroke Pines to track a complaint.

Mr. Shimun described for Vice-Mayor Crowley his background in negotiating union contracts in Michigan with the teamsters and AFSCME, and in Pembroke Pines with the Police and Fire Departments.

Councilmember Starkey asked Mr. Shimun about finding the best-qualified employees and on-going training. Mr. Shimun believed in on-going training to ensure efficiency and professionalism. Finding the best employee was a matter of designing accurate job descriptions, and perhaps using an outside firm to help select certain higher-level candidates. Mr. Shimun also believed in promoting internally, and this was why on-going education was so important.

Mayor Truex asked how Mr. Shimun felt municipalities would need to adjust to leveling off income from property taxes. Mr. Shimun responded that optimal efficiency and "belt tightening" were always required, and they must also ensure that department directors did not pad the budget.

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#### Mark Kutney

Mr. Kutney explained that he had been managing and supervising in some form for almost 30 years. He had achieved two Masters Degrees and described his “composite” of a good manager as someone who:

- Was ethical, moral and honest;
- Did not try to be a politician, but kept to his/her role of the organization’s administrative leader;
- Never put any private interest above the interest of the public;
- Always tried to do the right thing;
- Motivated subordinates to leave the organization better than when they arrived;
- Strove to improve employee morale;
- Hired employees with abilities or expertise the administrator might not have;
- Worked hard and led by example; and
- Prayed to make the right decisions for the government he/she led.

Councilmember Starkey asked if Mr. Kutney felt he could overcome the problems and negative perceptions about his department. Mr. Kutney responded that they needed to enhance the Town’s image, and to insure that the public safety functions were covered within the scope of our financial ability to fund those functions. He indicated that he had already come up with some specific ideas and had begun to formulate a plan.

Vice-Mayor Crowley asked how Mr. Kutney would improve the production of the Town’s financial audit report. Mr. Kutney replied that he had previous budget experience and it was important to hold employees accountable for the timely creation of the reports.

Councilmember Caletka asked what Town offices he felt had low productivity and how he would save the Town tax dollars. Mr. Kutney stated there were offices that were underperforming and they could consider restructuring, personnel changes and outsourcing to improve performance. Mr. Kutney felt Human Resources, Payroll and the Building Division were worth examining in this regard.

Councilmember Paul asked how Mr. Kutney would handle an overhaul of the Town policies and how he would increase accountability. Mr. Kutney stated that there were general administrative policies that affected all departments and department policies and indicated that these must be coordinated. He felt they could include workgroups and committees’ input to refine their policies. Regarding accountability, Mr. Kutney felt it was the responsibility of the administrator to ensure directions were followed.

Mayor Truex asked what items Mr. Kutney would address first. Mr. Kutney felt that the Town’s image, public relations, and budget would come first.

Councilmember Starkey asked Mr. Kutney how he would have handled the budget issues brought up by the public recently. Mr. Kutney felt that more oversight was needed in purchasing, and there must also be communication between the administrator and department directors regarding good and bad budget practices.

Vice-Mayor Crowley asked if Mr. Kutney felt Engineering should be a separate department, or if it should be under Development Services. Mr. Kutney responded that the Town’s Code dictated that there should be an Engineering Department. Over time, and due to staff shortages, the department had been put under Development Services. He felt there were many ways to accomplish this department’s function, but the first step should be to get the Code in line with the practice.

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Councilmember Caletka related a scenario to Mr. Kutney whereby a Councilmember directed staff to repair a sidewalk that was reported to be in disrepair by a resident and asked what Mr. Kutney's response would be to this violation of the Town's Charter. Mr. Kutney felt the administrator must discuss the issue with Councilmember, and inform him or her that the situation should have been rectified through the proper channels. He noted that the staff member should not have honored the request because it was outside those proper channels.

Councilmember Paul asked Mr. Kutney what experience he had in union contract negotiations. Mr. Kutney said he was involved in two union contract negotiations with Davie and had a good background in union resources and understood collective bargaining.

Mayor Truex asked Mr. Kutney what the Town could do differently concerning public relations. Mr. Kutney felt having a Public Information Office was a positive thing, but felt the Administrator should be more involved.

Vice-Mayor Crowley asked Mr. Kutney why he wanted to stay in Davie. Mr. Kutney stated he did love the Town, but wanted to move into City management. He said his goal was to make Davie one of the top three cities in Broward County.

#### Mark Stampfler

Mr. Stampfler advised that he had been a city manager for 21 years and had been in public service for 31 years. He had learned how elected officials work while he was City Clerk in Kalamazoo, Michigan. When he served as Airport Director, Mr. Stampfler had learned the difference in responsibility levels between a staff position and a line position.

Councilmember Paul asked how Mr. Stampfler would handle the Town's budget process. Mr. Stampfler thought that the Town's budget lacked narrative, which he felt was essential to keep track of what their plans had been, and helped make the budget more comprehensible to the public. He felt that Council must agree on what the goals were for the coming year, which should be communicated to the administrator to formulate the budget plan. Mr. Stampfler explained a process he had used for budget development: asking citizens, the boards, committees, and administration's opinion of how the government was performing on existing projects, and what their future projects should be over the course of the next year. This input could be used to formulate the budget.

Councilmember Caletka noted that two phone numbers for Mr. Stampfler's references had proved invalid and asked Mr. Stampfler if he would hire an assistant manager who had done the same. Mr. Stampfler said it would depend on how good the candidate was overall, and noted that no one was perfect.

Vice-Mayor Crowley asked if Mr. Stampfler had experience negotiating with unions. Mr. Stampfler advised that he had participated in negotiations with police, fire, public service and general employees in Michigan.

Mayor Truex asked Mr. Stampfler's thoughts on parks and historic preservation. Mr. Stampfler felt the question was whether one made the community a better place in which people lived. In economic development, he stressed the recreation and environmental components, noting his efforts to double parks acreage and increase bike trails at a former town where he was employed.

Councilmember Starkey asked Mr. Stampfler what experience he had implementing fraud-prevention financial procedures. Mr. Stampfler felt major accounts should be subjected to annual audit and the auditor should report to Council. He thought administration needed to respond quickly to any indication that an audit should be performed. Mr. Stampfler added that the systems in place for department directors to report to the manager were most important to "make sure that you don't get off the track and need an audit."

Councilmember Starkey asked if Mr. Stampfler's position as managing partner of Civic Quest would conflict with his duties as administrator. Mr. Stampfler explained that Civic Quest sought to

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implement best business practices in local government. He felt this would not present a conflict, but he would probably remove himself from the firm, as he felt that the administrator position was “more than full time.”

Councilmember Caletka asked Mr. Stampfler’s opinion of a staff member who was also a principal of a corporation. Mr. Stampfler admitted being unfamiliar with the Town’s personnel rules, but stated that this must be assessed for possible conflict on an individual basis.

Councilmember Paul asked Mr. Stampfler what compensation, benefits and relocation costs, if any, he planned to request. Mr. Stampfler said he would expect the Town to pay his relocation costs, but had so far not considered the other points.

#### Horace McHugh

Mr. McHugh said he had undergraduate and graduate degrees in finance, and had 11 years experience in finance. He had been Assistant City Manager of Miami Gardens for two and a half years, which had recently been incorporated. The challenges the incorporation had presented included setting up structure, policies and procedures, hiring, protocol and all base infrastructure and internal controls required to allow a municipality to function.

Councilmember Caletka congratulated Mr. McHugh on his references. He asked Mr. McHugh what action he would take if he discovered that a Town Councilmember had interfered with the Bid Specification Committee. Mr. McHugh stated that he would confront Councilmember, informing him or her that this action was illegal, immoral and unethical, and short-circuited the process. He would also take steps to ensure that the influence had not had an impact. He would communicate the same to the recipient of this exertion.

Vice-Mayor Crowley asked Mr. McHugh how he would improve the budget and financial reporting processes. Mr. McHugh felt the budget should be monitored on a monthly basis and significant variances explained. He stated that the budget discussion should begin in March with Council identifying the issues they wished to address in the coming year; then staff could begin their budget development using this information.

Councilmember Starkey was impressed by Mr. McHugh’s diversity and specifically with his financial background. She noted that Mr. McHugh had a degree pending, and asked if he would be willing to postpone fulfilling his personal goals to tackle the Town’s major issues and get back on track. Mr. McHugh explained that while he felt it important to continue to expand his knowledge base, his goal of obtaining an MBA did not have a specific timeframe, so he felt comfortable postponing this.

Councilmember Paul asked what Mr. McHugh would address first, if hired. Mr. McHugh felt fiscal control and accountability were issues to be addressed first. He would then discuss the strategic vision for the Town with Council and in turn, provide staff with direction, emphasis and focus.

Mayor Truex asked Mr. McHugh if he felt that economic development was a policy matter for Council to decide or if the administration should have a role, and if so, what that role should be. Mr. McHugh felt that administration’s role was to implement Council’s economic development policies, and to contribute suggestions for Council to consider.

Councilmember Caletka noted that since its incorporation, Miami Gardens’ budget had increased from \$23 million to \$120 million. One of Mr. McHugh’s references had attributed this, in part, to Mr. McHugh’s ability to secure grant funding. Councilmember Caletka asked if any of these grants would apply to Davie. Mr. McHugh explained that many of the Miami Gardens grants were through Miami-Dade County, and therefore would not apply to Davie, but he would explore grants and other revenue sources for Davie, such as impact fees and permit facilitation fees.

Vice-Mayor Crowley asked Mr. McHugh if his position in Ft. Lauderdale had included any involvement in union negotiations. Mr. McHugh advised that he was involved in union negotiations with

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AFSCME. He had also worked under former Ft. Lauderdale City Manager George Hanbury for approximately eight years, and they had sought to explain the long-term impacts of escalating costs to labor unions.

Councilmember Starkey asked Mr. McHugh how he would have handled the recent confrontations Council had experienced with members of the public concerning budget issues. Mr. McHugh said the community should be involved in the budget process. In that situation, he said he would have been prepared to respond at the meeting where that occurred. He would have explained to Council and to the public how the expenditures were offset by revenues.

Councilmember Starkey asked how Mr. McHugh would track the budget; Mr. McHugh suggested monthly or quarterly reports. Capital projects surpassing yearly appropriations must be tracked, and updates provided as well.

Councilmember Paul asked Mr. McHugh how he would handle an overhaul of Town policies and how he would ensure accountability. Mr. McHugh responded that he would consider how existing policies and procedures should be changed. If policies existed but were not followed, Mr. McHugh would remind staff of the need to follow the policies. Regarding accountability, Mr. McHugh felt that regular staff meetings were important to follow up on Council's directives, and to discuss the Town's goals and the actions necessary to accomplish these goals.

Vice-Mayor Crowley asked what experience Mr. McHugh had in emergency management. Mr. McHugh advised that Miami Gardens had recently developed a hurricane and disaster plan. He would examine Davie's processes to determine if they should be refined.

*Dennis Kelley*

Mr. Kelley described his work at the City of North Miami for the past two and a half years, being responsible for their construction projects. Prior to that, Mr. Kelley was employed in North Palm Beach, where he was responsible for significant development as well. He had also negotiated cell tower contracts in North Palm Beach.

Mayor Truex asked Mr. Kelley to explain what he meant by his "highly collaborative and inclusive" management style. Mr. Kelley said he shared decision-making. He explained that Council and department directors all had goals and ideas for improvements based on each individual's experiences, and these ideas should be collected.

Councilmember Starkey asked Mr. Kelley what policies and procedures the Town should implement to control misspending, and how he would address allegations made regarding this during their budget discussions. Mr. Kelley felt the first step to sound budget policy was to define the revenues as accurately as possible. Then the Town must keep its expenses well within their revenues, including well-defined controls and rules for reporting. Regarding the allegations of misspending, Mr. Kelley stated that the Town must make sure the media had both sides of the story. He said he would also confront the person making the allegations and present him/her with the facts.

Councilmember Paul noted Mr. Kelley's involvement with colleges in North Miami, and the Town and Gown Program, and asked Mr. Kelley to describe the relationship between educational institutions and North Miami. Mr. Kelley described colleges and universities located in North Miami, and how Johnson and Wales had developed their Master Plan, which was incorporated into the City Comprehensive Plan and CRA. When Mr. Kelley was in Deland, he had developed a PILOT [Payment in Lieu of Taxes] program for Stetson University to provide police and fire protection to the school. Some of this had been addressed through the Town and Gown Committee. Mr. Kelley described other activities North Miami held in cooperation with the Town and Gown Committee.

Councilmember Caletka asked Mr. Kelley to describe his hiring process, including how long, from the process took. Mr. Kelley described his process, including resume submissions and development of a

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“qualifications matrix.” When he had narrowed the field to a final 20, Mr. Kelley said he liked to create a review committee comprising members with specific knowledge of the position’s requirements. This committee would narrow the field to five and make their recommendations to Mr. Kelley. He would interview the finalists to make the ultimate decision.

Vice-Mayor Crowley asked Mr. Kelley about his experience negotiating union contracts. Mr. Kelley remarked that if the union made requests that the Town considered out of the question, negotiations could take many months. He felt that management must develop a framework for discussion with the union that included some negotiating room.

**2. Discussion and Possible Action**

Mayor Truex asked Mr. Slavin what their next step should be. Mr. Slavin advised Council to allow him a couple of days to determine which candidates were still interested and then he could report back by Council’s October 18th meeting.

Councilmember Starkey said all of the candidates had informed her they could be available within 30 to 60 days. She informed Mr. Slavin that she was very impressed with the candidates and with Mr. Slavin’s adherence to the process.

Councilmember Paul felt the individual interviews had allowed Council to develop additional questions. She wanted to rank the candidates today and perhaps create a short list. Councilmember Caletka agreed they should proceed today and if Council’s first choice was no longer available, they could turn to the next name on the list. He also wanted to take the top two ranked candidates and then vote again on them. The remaining three could be kept on a “need only basis,” in the event that negotiations broke down with the first and second candidates.

Vice-Mayor Crowley felt that after the ranking, Council should make a motion to make their selection with Councilmember Paul agreeing. Mayor Truex felt Council should wait until the October 18th meeting as he felt the decision should be made during a regular meeting, with the public in attendance. Councilmember Starkey agreed with Mayor Truex that there would be an opportunity for more public input at a regular meeting. Councilmember Caletka felt Council could rank them today and wait until the meeting to make the motion.

Councilmember Caletka made a motion, seconded by Vice-Mayor Crowley, to provide non-binding ranking to the top five candidates. In a roll call vote, the vote was as follows: Mayor Truex - no; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Paul - yes; Councilmember Starkey - no. (Motion carried 3-2)

Mayor Truex opened the meeting to public comments. As no one spoke, the public comments were closed.

The Council ranked the candidates and Mr. Slavin reported the ranking: 1 - Horace McHugh (9); 2 - Gary Shimun (10); 3) Dennis Kelley and Mark Kutney (16); and 4) Mike Stampfler (24).

There being no further business to discuss and no objections, the meeting was adjourned at 5:06 p.m.

Approved \_\_\_\_\_

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Mayor/Councilmember

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Town Clerk